



Honorable Linda B. Riegle
United States Bankruptcy Judge



Entered on Docket
May 08, 2012

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Stipulated Order Granting Joint
Motion to Amend Court's Order to
Allow Proofs of Claim Based Upon
Investment in the Amesbury Hatters
Point Loan as to Proof of Claim No.
10725-00474 By Frank Davenport**

**Hearing Date: April 19, 2012
Hearing Time: 10:00 a.m.**

At the hearing on April 19, 2012, the Court considered the Joint Motion To Amend Court's Order Granting USACM Trust's Motion to Allow Proofs of Claim Based Upon Investment in the Amesbury Hatters Point Loan as Proof of Claim No. 10725-00474 by Frank Davenport (The "Motion") [DE 9753]. The Motion seeks to increase the amount of Mr. Davenport's allowed claim for Proof of Claim No. 10725-00474 from \$742.26 to \$25,000, which reflects the amount of Mr. Davenport's investment in the Amesbury Hatters Point Loan. The USACM Liquidating Trust provided appropriate notice of the Motion and no responses were filed. Good cause appearing,



1 **IT IS ORDERED** that the Motion is granted. The Court hereby amends Exhibit A
2 to the Court's Order at DE 9492 so that Proof of Claim No. 10725-00474 filed by Frank
3 Davenport is allowed in the amount of \$25,000 as an unsecured non-priority claim.

4 PREPARED AND RESPECTFULLY SUBMITTED BY:

5 **LEWIS AND ROCA LLP**

6
7 By /s/ John Hinderaker (AZ #018024)

8 Robert M. Charles, Jr.

9 John Hinderaker (*pro hac vice*)

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14 *Attorneys for USACM Liquidating Trust*

15 STIPULATED TO AND APPROVED AS TO
16 FORM AND CONTENT

17 /S/ Frank Davenport

18 Frank Davenport

19 3372 Narod Street

20 Las Vegas, NV 89121-4218
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

xxxx No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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